

CRIMINAL COMPLAINT  
(Electronically Submitted)

|   |                                     |
|---|-------------------------------------|
| United States District Court  | DISTRICT of ARIZONA                 |
| United States of America  | DOCKET NO.                          |
| v.<br><b>Brian Jesus HERNANDEZ</b><br>DOB: 1998; United States Citizen  | MAGISTRATE'S CASE NO.<br>23-05662MJ |
| Complaint for violation of Title 18, United States Code §§ 922(a)(1)(A) and Title 26, United States Code §§ 5861(i) |                                     |

**COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:**

On or about the 5th day of January 2023, in the District of Arizona, the defendant, **Brian Jesus HERNANDEZ**, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

On or about the 17th day of November 2023, in the District of Arizona, the defendant, **Brian Jesus HERNANDEZ**, knowingly received and possessed a firearm, Polymer PMF940C, 9mm, pistol, not identified by a serial number as required by chapter 53 of Title 26, in violation of Title 26, United States Code, Sections 5861(i) and 5871.

On or about the 6th day of February 2023, in the District of Arizona, the defendant, **Brian Jesus HERNANDEZ**, knowingly received and possessed a firearm, a drop in auto sear, not identified by a serial number as required by chapter 53 of Title 26, in violation of Title 26, United States Code, Sections 5861(i) and 5871.

**BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:**

From August 2022-February 2023, **Brian Jesus HERNANDEZ**, using SnapChat account "darealhunch" and Telegram Channel "Money Enterprises" sold or advertised for sale approximately 30 firearms.

On November 17, 2022, **Brian Jesus HERNANDEZ**, sold a fully automatic, Polymer 80, PF940C, 9mm, pistol, with no serial number to an Undercover Detective. The firearm was sent to ATF Firearms and Technology Division and was determined to function as a fully automatic pistol.

On January 4, 2023, **Brian Jesus HERNANDEZ**, sold two Polymer 80, PF940C, 9mm, pistols, with no serial numbers to an undercover ATF Agent. During the deal, the UC asked if **HERNANDEZ** could sell her another fully automatic firearm. **HERNANDEZ** advised he did not currently have any available and explained that he would have to build the firearm for the UC. **HERNANDEZ** agreed to contact the UC when he had built the firearm.

On January 27, 2023, the UC Officer contacted **HERNANDEZ** again in reference to the purchase of the firearm. **HERNANDEZ** explained he had a rifle for sale but advised he wanted to make it fully automatic before he sold it to the UC's. **HERNANDEZ** advised he was waiting for some parts to come in but would meet with the UC's in February. **HERNANDEZ** later explained to the UC's that he had sold off all of his firearms to purchase a 3d printer to make more firearms and to make auto sears and Glock switches.

On February 6, 2023, **HERNANDEZ** met with the UC Agent and sold a 3d printed drop in auto sear. **HERNANDEZ** showed the UC agent how to use the auto sear to make a AR15 style weapon into a machinegun by showing the UC a video. **HERNANDEZ** also explained he had made the auto sear with his 3d printer.

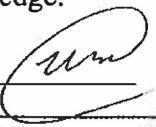
## MATERIAL WITNESSES IN RELATION TO THE CHARGE: N/A

## DETENTION REQUESTED

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

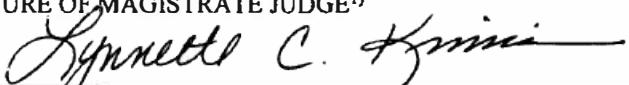


OFFICIAL TITLE  
ATF SA Tiffany Menotti

AUTHORIZED BY AUSA Matthew Cassel 

Sworn by telephone

SIGNATURE OF MAGISTRATE JUDGE<sup>1)</sup>



DATE  
February 7, 2023

<sup>1)</sup> See Federal Rules of Criminal Procedure Rules 3, 4